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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                                     |   |                              |
|-------------------------------------|---|------------------------------|
|                                     | X |                              |
|                                     | : |                              |
| In re:                              | : |                              |
|                                     | : |                              |
| DELPHI CORPORATION, <i>et al.</i> , | : | Chapter 11                   |
|                                     | : | Case No. 05-44481 (RDD)      |
| Debtors.                            | : |                              |
|                                     | : | (Jointly Administered)       |
|                                     | X |                              |
|                                     | : |                              |
| DELPHI CORPORATION, <i>et al.</i> , | : | Adv. Pro. No. 07-02236 (RDD) |
|                                     | : |                              |
| Plaintiffs                          | : |                              |
|                                     | : |                              |
| - against -                         | : |                              |
|                                     | : |                              |
| DSSI and DSSI, LLC,                 | : |                              |
|                                     | : |                              |
| Defendants.                         | : |                              |
|                                     | : |                              |
|                                     | X |                              |

**ORDER DISMISSING ADVERSARY PROCEEDING WITH PREJUDICE  
PURSUANT TO FED. R. CIV. P. 12(B) AND FED. R. BANKR. P. 7012(B)**

THIS MATTER having been opened to the Court by DSSI LLC and DSSI<sup>1</sup> (hereinafter “Defendants”) upon their Motion Seeking an Order (i) Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Vacating Prior Orders Establishing Procedures for Certain Adversary Proceedings, Including Those Commenced by Delphi Corporation, et al. Under 11 U.S.C. §§ 541, 544, 545, 547, 548, and/or 549, and Extending the Time to Serve Process for Such Adversary Proceedings; and (ii) Dismissing the Adversary Proceeding with Prejudice Pursuant to Fed. R. Civ. P. 12(B) and Fed. R. Bankr. P. 7012(B) (“Motion”); and the Court having considered opposition to the Motion, if any; and for good cause shown; it is

ORDERED that the instant Adversary Proceeding be, and hereby is, dismissed with prejudice and without costs.

Dated:  
WHITE PLAINS, NY

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HONORABLE ROBERT D. DRAIN  
UNITED STATES BANKRUPTCY JUDGE

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<sup>1</sup> In the Debtors’ preference action, the Debtors assert claims against a defendant styled “DSSI”. There is no entity known as DSSI in the DSSI LLC corporate organization. Therefore, no response is necessary on behalf of this non-existent entity. “DSSI” is only referenced here to alert this Court to this issue and to prevent (i) a default judgment being obtained against it and (ii) efforts to assert any such judgment against DSSI LLC.